



Federal Communications Commission
Washington, D.C. 20554

MAY 3 1996

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

The Honorable Kay Bailey Hutchison
United States Senator
10440 North Central Expressway, Suite 1160
LB 606
Dallas, Texas 75231

Dear Senator Hutchison:

Thank you for your letter of March 26, 1996, on behalf of your constituents, Ethel and Don McLeod, regarding the Commission's decision to freeze acceptance of paging applications. Mr. and Mrs. McLeod express concern that the suspension of processing of paging applications will adversely affect small businesses that provide paging services.

The Commission is currently conducting a rulemaking proceeding that proposes to transition from licensing paging frequencies on a transmitter-by-transmitter basis to a geographic licensing approach, using auctions to award licenses where there are mutually exclusive applications. In conjunction with that proceeding, the Commission initially froze processing of applications for paging frequencies. On April 23, 1996, the Commission released a First Report and Order in **WT Docket 96-18** and PP Docket 93-253, which adopted interim measures governing the licensing of paging systems and partially lifted the interim freeze for incumbent paging licensees. For your convenience and information, enclosed is a copy of the Press Release concerning the First Report and Order, which includes a summary of the principal decisions made. Specifically, small and medium sized incumbent paging companies will be permitted to expand their service areas if the proposed new site is within 65 kilometers (40 miles) of an authorized and operating site. These interim rules will remain in effect until the Commission adopts final rules in the paging proceeding.

Thank you for your inquiry.

Sincerely,

David L. Furth
Chief, Commercial Wireless Division
Wireless Telecommunications Bureau

Enclosure

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KAY BAILEY HUTCHISON
TEXAS

United States Senate

WASHINGTON, DC 20510-4304

March 26, 1996

COMMITTEES:
ARMED SERVICES
SMALL BUSINESS
COMMERCE, SCIENCE,
AND TRANSPORTATION
SELECT INTELLIGENCE

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RESPECTFULLY REFERRED TO:

Director, Legislative Affairs
Federal Communications Commission
Room 857, 1919 M. Street, N.W.
Washington, D.C. 20554

The attached communication was forwarded to Senator Hutchison by a constituent who is concerned about a matter that falls within your agency's jurisdiction. I would appreciate it if appropriate inquiries could be initiated on this individual's behalf, and if a full response could be prepared for me to report to the constituent.

It would be very helpful if the attached were to accompany your response. In the event you require more information, please do not hesitate to contact me in Dallas at (214)361-3500.

Thank you for your courtesy.

PLEASE REPLY TO:

Office of Senator Kay Bailey Hutchison
Attention: Mary Fae Kamm
10440 North Central Expressway, Suite 1160
LB 606
Dallas, Texas 75231

Enclosure

03-29-96 10:20AM FROM SEN HUTCHISON

TO DALLAS

P001

Paging Services
Cellular Activations
24 Hour Communication Center
Voice Mail
Fax Broadcasting
Operator Services
National 800 Call Processing



STENOCALL

a division of Lubbock Radio Paging Service, Inc.
Established 1954

1515 Avenue
P.O. Box 10127
Lubbock, Texas 79406
(806) 762-0811
(800) 658-2612
Fax: (806) 763-9466

March 22, 1996

The Honorable Kay Bailey Hutchinson
United States Senator from Texas
Russell Senate Office Building
Washington, D. C. 20510-6125

JAB - MEU
DALLAS
VIP ASSIG
3/29

Dear Senator Hutchison:

As we am sure you are aware, the FCC has imposed a freeze on the filing of applications to expand and improve existing paging service in the United States. This was imposed on February 8, 1996.

We are members of a coalition of paging carriers who provide service to the public and who feel that the FCC truly does not understand the devastating effect this freeze has on our industry. Quite personally, it has been a struggle to build our company and you can be assured there is a lot of competition in the paging industry, but with the freeze we will not be able to expand.

We are attaching a copy of a letter which Senator Pressler forwarded to Mr. Hundt, Chairman of the FCC, for your information. We would be extremely grateful if you could also write a letter to the FCC supporting our position.

We hope to see you again when you get back to Lubbock and thanks so much for your consideration.

Sincerely,

Ethel McLeod, CEO

Don McLeod, President

03-29-96 10:20AM

FROM SEN HUTCHISON

TO DALLAS

P002

LARRY PRESSLER, SOUTH DAKOTA, CHAIRMAN
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JOHN C. CURTIN, DEMOCRATIC CHIEF COUNSEL AND STAFF DIRECTOR

United States Senate

COMMITTEE ON COMMERCE, SCIENCE,
AND TRANSPORTATION

WASHINGTON, DC 20510-6125

March 15, 1996

The Honorable Reed E. Hundt
Chairman
Federal Communications Commission
1919 M Street, N.W., Room 814
Washington, D.C. 20554

Re: Notice of Proposed Rulemaking
WT Docket No. 96-18; PP Docket No. 93-253

Dear Chairman Hundt:

I am writing to express my concern about recent actions taken by the Federal Communications Commission that have an adverse impact on the paging industry. On February 8, 1996, the Commission imposed a freeze on acceptance and processing of virtually all paging applications, including applications for new or modified facilities by incumbent paging operators, in the above-referenced Notice of Proposed Rulemaking. This freeze broadly applies to all paging operators with the sole exception of those licensed to use nationwide channels. I understand that none of the comments filed with the Commission have supported the freeze.

I have learned that this action was taken by the Commission without first seeking the views of those businesses directly affected, and may be having an adverse economic impact on the robust U.S. paging industry, including drops in sales and stock prices of publicly traded companies. Apart from the revenues and employment generated by this industry, the freeze affects the more than 34 million subscribers, both business and personal users, who also rely on paging to provide a range of wireless messaging services including critical emergency and life support services. The freeze also is impacting the major manufacturers of paging equipment — all of which are American companies.

03-29-96 10:20AM

FROM SEN HUTCHISON

RE DALLAS

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The Honorable Reed E. Hundt

March 15, 1996

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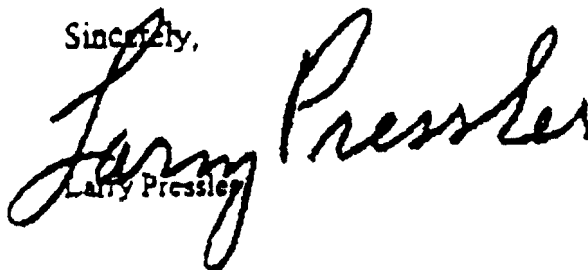
Regardless of the Commission's intentions to act quickly on the underlying rulemaking, even a relatively short delay could have an adverse impact on this highly competitive industry in terms of lost opportunities in the marketplace. I am particularly concerned about the impact on local and regional carriers, many of which are small businesses, who compete on a daily basis with nationwide competitors who are exempted from the freeze.

In the Notice of Proposed Rulemaking, the Commission acknowledges that paging is a highly competitive industry and that licensees must expand or modify facilities on a regular basis in order to meet customer demand and increase their competitiveness. Yet a number of examples have been brought to my attention of the ways in which the freeze precludes the ability of companies to meet the needs of their customers through the expansion and improvement of existing systems. The freeze may also inhibit introduction of advanced wireless messaging services which are in the process of being introduced by the industry. These include Internet e-mail and enhanced text services such as stock quotes, news and sports updates via alphanumeric pagers.

I thus urge the Commission to withdraw the freeze on incumbent licensees without further delay.

Thank you for your consideration of the views expressed in this letter. We look forward to working with you on this matter.

Sincerely,


Larry Pressler

cc: Commercial Wireless Division
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